

REMARKS

This Amendment is in response to the Office Actions dated January 5, 2006 and March 24, 2006. In the Office Action, claims 1-22 were rejected. With this Amendment, claims 1, 11 and 18 are amended. It is respectfully submitted that claims 1-22 are in condition for allowance.

As a preliminary matter, Applicant respectfully requests that the Examiner acknowledge consideration of the references provided in the Information Disclosure Statement mailed on September 24, 2004 and received by the USPTO on September 27, 2004 as indicated by the corresponding return card. A copy is enclosed herewith.

Claim 1 and 18 were objected to because of an informality. Accordingly, the preambles of claims 1 and 18 are both amended.

I. 35 U.S.C § 102 Rejection

Claim 18 was rejected under 35 U.S.C § 102(b) as being anticipated by Kowalski et al (U.S. 5,772,468). It is respectfully submitted that Kowalski et al. fails to teach or suggest all of the claim elements of claim 18.

Kowalski et al. discloses a contact jaw 40 that is attached to a jaw portion 18 of a clamp member 12 by a rivet 42. See col. 5, lines 2-12. Even though Kowalski does not explicitly describe a hole for use with rivet 42, it could be considered that there is a hole in jaw portion 18 for attaching contact jaw 40. Kowalski et al. also discloses that the contact jaw 40 is configured with a terminal end portion 50 that is capable of being crimped. A cable 48 is crimped to the terminal end portion 50 of the contact jaw 40. See col. 5, lines 18-25.

Claim 18 has been amended to include "a first jaw end having a conductive piece coupled to the first jaw end for making contact with a contact of a battery". The amendment to claim 18 clarifies that Applicant's invention includes a conductive piece similar to contact jaw 40 of Kowalski et al. It is respectfully submitted that there are claimed features included in claim 18 that are not found in the Kowalski et al. reference. Although Kowalski teaches a rivet for attaching a contact jaw 40 to clamp member 12, Kowalski et al fails to teach or suggest "providing a terminal electrically coupled to an end of the cable and having a terminal hole

formed therein which aligns with the first hole in the first elongate clamp member” and “removably fastening the terminal to the clamp member through the first hole and the terminal hole such that the clamp can be disconnected from the cable”.

In particular, Kowalski et al. fails to disclose a first hole which is aligned with a terminal hole of a terminal that is electrically coupled to the end of the cable. The terminal end portion 50 of Kowalski et al. does not include a hole and there is no terminal hole in the terminal end portion 50 that aligns with a first hole. In addition, Kowalski et al. fails to disclose removably fastening the terminal to the clamp member through the first hole. The terminal end portion 50 is crimped to the cable 48 and, therefore, is neither removably fastened nor removably fastened through a first hole. It is respectfully submitted that claim 18 is in condition for allowance as being allowable over Kowalski et al.

II. 35 U.S.C § 103 Rejections

Claims 1, 3-4 and 7-9 were rejected under 35 U.S.C § 103(a) as being unpatentable over Wolf (US 3,267,452) in view of Kowalski et al. To establish a *prima facie* case of obviousness, the prior art reference must teach or suggest all of the claim limitations. *In re Vaeck*, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991); M.P.E.P. §2143. It is respectfully submitted that claims 1, 3-4 and 7-9 are in condition for allowance as including elements not taught or suggested by the combination of cited references.

Independent claim 1 has been amended to include “the first hand grip having a conductive piece coupled to the first jaw end for making contact with a contact of a battery”. The amendment to claim 1 clarifies that Applicant’s invention includes a conductive piece similar to contact jaw 40 of Kowalski et al. However, it is respectfully submitted that there are claimed features included in claim 1 that are not found in the Wolf or Kowalski et al. references. On page three of the Office Action, the Examiner states that Wolf does not explicitly disclose “the first hand grip having a first hole formed therein”, “a terminal electrically coupled to an end of the cable and “a removable fastener which couples the terminal to the first hand grip through the first hole and the terminal hole whereby the first hand grip can be disconnected from the cable”. The

Examiner further states that Kowalski et al. teaches these elements in FIG. 3. Applicant respectfully disagrees.

Kowalski et al. fails to disclose a first hand grip having a first hole. It is respectfully submitted that rivet 42 of Kowalski et al. is not in a first hand grip. Rivet 42 couples contact jaw 40 to the jaw portion 18 of a clamp member 12. In addition, the amendment to claim 1 clarifies that the Applicant's invention includes a conductive piece similar to contact jaw 40 of Kowalski et al. Applicant is clearly claiming a different hole from a hole that is used to attach the conductive piece to a jaw end. Kowalski et al. fails to disclose a first hole which is aligned with a terminal hole of a terminal that is electrically coupled to the end of the cable. The terminal end portion 50 of Kowalski et al. does not include a hole and there is no terminal hole in the terminal end portion 50 that aligns with a first hole. Kowalski et al. also fails to disclose a removable fastener that fastens the terminal to the first hand grip through the first hole. The terminal end portion 50 of Kowalski et al. is crimped to the cable 48 and, therefore, neither includes a removable fastener nor a removable fastener through a first hole.

It is respectfully submitted that claim 1 is in condition for allowance as being patentable over Wolf in view of Kowalski et al. Claims 3-4 and 7-9 are also in condition for allowance as depending on allowable base claim 1.

Claim 2 was rejected under 35 U.S.C § 103(a) as being unpatentable over Wolf in view of Kowalski et al. and further in view of Johnson (US 4,969,834). It is respectfully submitted that claim 2 is in condition for allowance as depending on allowable base claim 1.

Claims 5-6 were rejected under 35 U.S.C § 103(a) as being unpatentable over Wolf in view of Kowalski et al. and further in view of Vonderhaar et al. (US 6,469,511). It is respectfully submitted that claims 5 and 6 are in condition for allowance as depending on allowable base claim 1.

Claim 10 was rejected under 35 U.S.C § 103(a) as being unpatentable over Wolf in view of Kowalski et al. and further in view of Hatrock (US 4,983,086). It is respectfully submitted that claim 10 is in condition for allowance as depending on allowable base claim 1.

Claims 11-14 were rejected under 35 U.S.C § 103(a) as being unpatentable over Wolf in view of Kowalski et al. and further in view of Johnson. It is respectfully submitted that the Examiner has not established a *prima facie* case of obviousness and claims 11-14 are in condition for allowance as including elements not taught or suggested by the combination of cited references.

Independent claim 11 has been amended to include “the first hand grip having a conductive piece coupled to the first jaw end for making contact with a contact of a battery”. The amendment to claim 11 clarifies that Applicant’s invention includes a conductive piece similar to contact jaw 40 of Kowalski et al. However, it is respectfully submitted that there are claimed features included in claim 11 that are not found in any of the Wolf, Kowalski et al. and Johnson references.

The cited references fail to disclose a first hand grip having a first hole. It is respectfully submitted that rivet 42 of Kowalski et al. is not in a first hand grip. Rivet 42 couples contact jaw 40 to the jaw portion 18 of a clamp member 12. In addition, the amendment to claim 11 clarifies that the Applicant’s invention includes a conductive piece similar to contact jaw 40. Applicant is clearly claiming a different hole from a hole that is used to attach the conductive piece to a jaw end. The cited references fail to disclose a first hole which is aligned with a terminal hole of a terminal that is electrically coupled to the end of the cable. The terminal end portion 50 of Kowalski et al. does not include a hole and there is no terminal hole in the terminal end portion 50 that aligns with a first hole. The cited references also fail to disclose a removable fastener that fastens the terminal to the first hand grip through the first hole. The terminal end portion 50 of Kowalski et al. is crimped to the cable 48 and, therefore, neither includes a removable fastener nor a removable fastener through a first hole.

It is respectfully submitted that claim 11 is in condition for allowance as being patentable over Wolf in view of Kowalski et al. and further in view of Johnson. Claims 12-14 are also in condition for allowance as depending on allowable base claim 11.

Claims 15-16 were rejected under 35 U.S.C § 103(a) as being unpatentable over Wolf in view of Kowalski et al., in view of Johnson and further in view of Vonderhaar et al. It is

respectfully submitted that claims 15 and 16 are in condition for allowance as depending on allowable base claim 11.

Claim 17 was rejected under 35 U.S.C § 103(a) as being unpatentable over Wolf in view of Kowalski et al. in view of Johnson and further in view of Hatrock. It is respectfully submitted that claim 17 is in condition for allowance as depending on allowable base claim 11.

Claims 19, 20 and 22 were rejected under 35 U.S.C § 103(a) as being unpatentable over Kowalski et al. in view of Johnson. It is respectfully submitted that claims 19, 20 and 22 are in condition for allowance as depending on allowable base claim 18.

Claim 21 was rejected under 35 U.S.C § 103(a) as being unpatentable over Kowalski et al., in view of Vonderhaar et al. It is respectfully submitted that claim 21 is in condition for allowance as depending on allowable base claim 18.

It is respectfully submitted that claims 1-22 are in condition for allowance. Favorable action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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